

DETAILED ACTION

Response to Arguments

Examiner acknowledges receipt of the Request For Restart on 9/12/2008. The claims that were not examined have now been addressed in the claim rejections below, and the time period has been restarted.

Please note that a new examiner is prosecuting this application. The contact information is provided in the conclusion.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the

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various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1- 11 are rejected under 35 U.S.C. 103(a) as being unpatentable by, **Fukuda Yuichi.**, (Japan Publication 11-282775) in view of **Christmas** (U.S.Patent 6,085,084).

Consider claim 1, Fukuda Yuichi, clearly discloses a terminal device for transmitting and receiving mails, comprising **(Fukuda Yuichi, discloses a wireless communication, Paragraphs 0041 lines 1-21, a Tx and Rx, a controller & a user interface and Memory, program configuration, in a terminal device):** a mail receiving unit **(Paragraph 0034, lines 1-19);** a judging unit operable to judge whether a command declaration is included in a received mail **(Fukuda Yuichi, discloses a program element, is configured with element, with memory, Paragraph 0036, 0037, lines 1-3);** a command interpreting unit operable to extract and interpret a specific command following the command declaration if the judgment of the judging unit is affirmative **(Fukuda Yuichi, discloses a command for wireless communication device and is comprised of a (judging unit) which is a processor coupled to a transceiver, typically wire line transceiver including both a receiver and transmitter suitable for sending and receiving message Paragraphs 0007,**

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0011, 0013 and 0014); a creating unit operable to create data (**Paragraph 0036, lines 10-132**), if the specific command is interpreted as target address creation, an address of corresponding targets in memory of the terminal device (**see paragraph 41**). Fukuda Yuichi discloses mail transmitting unit operable to created address as a mail main body and addressed to a requestor (**see paragraph 37**). However **Fukuda Yuichi**, fails to disclose creating a list. In the same field of endeavor **Christmas**, clearly disclose each mail transmitting unit operable to created list as a mail main body and addressed to a requestor (**column 16 lines 62-64, figures # 4**).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the invention of Fukuda Yuichi, and incorporate a mail transmitting unit operable to created list as taught by **Christmas**, with the IP network disclosed by **Christmas**. for the purpose of automated validation of a list by the Initiator and improving mail performance in a wireless network as discussed by **Christmas (column 1 lines 8-10, column 5 lines 16-17)**.

Consider claim 2, as applied to claim **1, Fukuda Yuichi.**, as modified by **Chritmas**. clearly show and discloses device, further comprising (**Fukuda Yuichi, discloses a wireless communication device, Paragraph 0041, lines 1-21**): a comparing unit operable to detect, if a password accompanies the command declaration and the judgment of the judging unit is affirmative (**Paragraph 0007, lines 1-12**), the password, and compare the password with a password owned by the terminal device (**Fukuda Yuichi, discloses a command for wireless communication device**

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Paragraph 0011, lines 1-8); and an authorizing unit operable to authorize the extraction and interpretation of the specific command if the passwords match each other.

Consider claim 3, as applied to claim **1, Fukuda Yuichi,** as modified by **Christmas** clearly show and discloses device, wherein the command declaration is a unique character string different from a mail text (**Fukuda Yuichi, discloses a E-Mail for wireless communication device Paragraph 0016, lines 1-28**), and the specific command is a line of code including a storage location of the targets (**Paragraph 0040, lines 1-22**) a type of the targets, and a process to be performed (**Paragraph 0040, lines 10-20**).

Consider claim 4, as applied to claim **1, Fukuda Yuichi,** as modified by **Christmas.** clearly show and discloses device, wherein the targets are received mails, transmitted mails (**Paragraph 0041, lines 1-22**) schedules of events, images, telephone numbers, received voice calls, or transmitted voice calls (**Paragraph 0045, lines 10-20**).

Consider claim 5, as applied to claim **1, Fukuda Yuichi.,** as modified by **Christmas,** clearly show and discloses device wherein, if a specific command transmitted by the requestor after the requestor checks the list of the mail is a request of transmitting a specific item in the list, the specific item is read from the memory (**Paragraph 0011, lines 1-8**). However **Fukuda Yuichi,** fails to disclose each mail transmitting unit operable to created list as a mail main body and addressed to a requestor.

In the same field of endeavor **Christmas,** clearly disclose each mail transmitting

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unit operable to created list as a mail main body and addressed to a requestor **(column 16 lines 62-64, figures # 4).**

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate to disclose discloses each mail transmitting unit operable to created list as a mail main body and addressed to a requestor as taught by **Christmas**, with the IP network disclosed by **Christmas**, for the purpose of automated validation of a list by the Initiator and improving mail performance in a wireless network as discussed by **Christmas (column 1 lines 8-10, column 5 lines 16-17).**

Consider claim 6, as applied to claim **1, Fukuda Yuichi.**, as modified by **Christmas** clearly shows and discloses device wherein if a specific command transmitted by the requestor after the requestor checks the list of the mail is a request of deleting a specific item in the list, the specific item is deleted from the memory **(Paragraph 0016, lines 5-28).**

Consider claim 7, as applied to claim **1, Fukuda Yuichi.**, as modified by **Christmas** clearly shows and discloses device wherein a mail having a main body which indicates completion of the deletion and addressed to the requestor is created and transmitted **(Fukuda Yuichi, discloses, addition, change, deletion or reference in Paragraph 0044, lines 1-10).**

Consider claim 8, as applied to claim **1, Fukuda Yuichi.**, as modified by **Christmas** clearly shows and discloses device wherein if the targets are received mails **(Paragraph 0045, lines 1-12)**, at least a sender, a received date, and a subject are

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displayed in the list (**Paragraph 0045, lines 16-22**), with respect to each of the received mails (**Paragraph 0045, lines 1-22**).

Consider claim 9, as applied to claim **1, Fukuda Yuichi.**, as modified by **Christmas** clearly show and discloses device wherein if the targets are schedules of events, a date, a time (**Paragraph 0045, lines 16-22**). However **Fukuda Yuichi**, fails to indicate a type of an event are displayed in the list, with 5 respect to each of the schedules of events.

In the same field of endeavor **Christmas**, clearly indicating a type of an event are displayed in the list, with 5 respect to each of the schedules of events (**column 7 lines 48-62**).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate to disclose clearly indicating a type of an event are displayed in the list, with 5 respect to each of the schedules of events as taught by **Christmas**, with the IP network disclosed by **Christmas**, for the purpose of automated validation of a list by the Initiator and improving mail performance in a wireless network as discussed by **Christmas (column 1 lines 8-10, column 5 lines 16-17)**.

Consider claim 10, as applied to claim **1, Fukuda Yuichi**, as modified by **Christmas** clearly show and discloses device wherein if the targets are images, a shooting date, a title, an address in which an image is stored are displayed in the list, with respect to each of the images (**Fukuda Yuichi, discloses a wireless**

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communication, Paragraphs 0041 lines 1-21, a Tx and Rx, a controller & a user interface and Memory, program configuration, in a terminal device).

Consider claim 11, as applied to claim 1, Fukuda Yuichi, as modified by Christmas. clearly show and discloses device wherein the terminal device, being a mobile phone (Fukuda Yuichi, discloses a wireless communication, Paragraphs 0040 lines 1-22, a Tx and Rx, a controller & a user interface and Memory, program configuration, e-mail, images are in a terminal device is a mobile phone).

Claim 12 (new): the terminal device of Claim 2, wherein the command declaration is a unique character string different from a mail text, and the specific command is a line of code including a storage location of the targets, a type of the targets, and a process to be performed **(Fukuda Yuichi, Paragraphs 0007, 0011, 0013 and 0014, since creating distinct command lines is well known in the art, it would have been obvious to one of ordinary skill in the art to create a unique character string different from mail text).**

Claim 13 (new): the terminal device of Claim 12, wherein the targets are received mails, transmitted mails, schedules of events, images, telephone numbers, received voice calls, or transmitted voice calls **(see Fukada Yuichi, paragraph [41]).**

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to VLADIMIR MAGLOIRE whose telephone number is (571)270-5144. The examiner can normally be reached on Monday to Thursday, 8:00 AM to 5:00 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nick Corsaro can be reached on 571-272-7876. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Examiner, Art Unit 2617 11/10/08